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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDREW SATARIANO,

Defendant.

CASE NO. 1:21-CR-00295-JLT SKO

STIPULATION VACATE TRIAL AND SET A
CHANGE OF PLEA, AND REGARDING
EXCLUDABLE TIME PERIODS UNDER SPEEDY
TRIAL ACT; FINDINGS AND ORDER

DATE: November 14, 2023
TIME: 8:30 a.m.
COURT: Hon. Jennifer L. Thurston

This case is set for a trial on November 14, 2023 and a trial confirmation hearing on October 30, 2023 at 10:00 a.m. The parties stipulate and request to vacate the trial, and convert the trial confirmation hearing to a change of plea hearing on October 30, 2023 at 10:00 a.m.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. The parties executed a plea agreement in this matter on October 6, 2023, and filed it on the same date.

2. By this stipulation, the defendant now moves to vacate the trial, and convert the trial confirmation hearing to a change of plea hearing on October 30, 2023 at 10:00 a.m. The government does not object.

3. Time has already been excluded through November 14, 2023. However, since the parties

are asking to vacate the trial date, the parties in an abundance of caution are also asking the Court to make a finding that the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

a) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 6, 2023 to October 30, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 6, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ KIMBERLY A. SANCHEZ
KIMBERLY A. SANCHEZ
Assistant United States Attorney

Dated: October 6, 2023

/s/ Steven L. Crawford
Attorney for Defendant
ANDREW SATARIANO

FINDINGS AND ORDER

IT IS SO FOUND.

IT IS SO ORDERED.

Dated: October 10, 2023


UNITED STATES DISTRICT JUDGE